

**May 11, 2016**

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 11<sup>th</sup> day of May, 2016, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Straight called the meeting to order.

Councilmembers present were:

First District	Marianne Moran
Third District	Robert (Rob) Linger
Fourth District	William H. (Bill) Burdick
Fifth District	Fran Warner
Sixth District	Daniel K. (Dan) Weber
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Ronald J. (Ron) Straight, Sr.

Absent:

Second District	Frank G. Yann
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Also present were:

City Manager	Robin I. Gomez
City Clerk	Janet L. Keller
Finance Director	Eileen Layman
SSB Treasurer	Sally Gower

**IN RE: EXCUSE COUNCILMEMBER YANN**

Mayor Straight entertained a motion to excuse Councilmember Yann from tonight's meeting.

Motion:

Councilmember Moran moved to excuse Councilmember Yann from this meeting. The motion was seconded by Councilmember Burdick.

The Mayor declared Councilmember Yann excused by voice vote of Council.

**IN RE:        OPENING CEREMONIES**

Alden Bennett, Jr. gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Mainella.

**APPROVAL OF MINUTES**

Mayor Straight noted that each member of Council had received a copy of the minutes from the Regular Meeting held on April 26, 2016.

Councilmember Mason moved to approve the minutes as submitted. The motion was seconded by Councilmember Mainella.

The Mayor declared the minutes approved as submitted by voice vote of Council.

**PUBLIC HEARINGS**

There were no public hearings scheduled for this meeting.

**ANNOUNCEMENTS**

**IN RE:        CROSSWALKS REQUESTED**

Councilmember Mason stated that he was contacted concerning crosswalks around Fairmont Middle School. He asked if the City would be able to help with that request.

Mr. Gomez said that the City will look into it.

Councilmember Weber noted that he agreed with Councilmember Mason about the crosswalks. He thought they were needed for the children.

**IN RE:        PAY INCREASE FOR SCHOOL CROSSING GUARDS**

Councilmember Weber asked why Council has not heard anything about a pay increase for the crossing guards.

**IN RE:        "MOVIE ON THE GREEN"**

Councilmember Mason stated that the "Movie on the Green" is a great idea for the usage of the lot on Adams Street.

Mr. Gomez said that a movie is scheduled to be shown on the Huntington

Bank Building on Friday, May 20<sup>th</sup>. He noted that it will occur every month through September.

**IN RE:       PROCESS FOR APPOINTMENT TO BOARDS AND COMMISSIONS**

Councilmember Mason wanted it read into the minutes that he handed out to each Councilmember a four-point process for approval of appointments to the City boards and commissions. The process read as follows:

- 1). Consideration of subject appointments shall include no fewer than two applicants forwarded to Council.
- 2). Copies of advertising of vacancy appointments shall be distributed to City Council members at the time of ad release or sooner.
- 3). The ad distribution to Council shall include copies of blank applications for Council use.
- 4). An updated list of all board/commission appointment vacancies, upcoming vacancies and timeline for filling vacancies shall be included with the ad distribution to Council.

Councilmember Mason also mentioned in the process that he has absolutely no pride of authorship and seeks your comment, addition, and/or deletion of bullets.

**IN RE:       EXPAND BOUNDARIES FOR BOARDS AND COMMISSIONS**

Councilmember Weber asked why we cannot expand our boundaries a little farther than the city limits. He said that we expect these people to pay \$2.00 per week to come into town and they are driving and then we also provide them with water and sewage, but why can't we appoint those people to boards and commissions. He asked why Council cannot look at the rules and regulations of City appointments to expand those to people outside the city limits.

Councilmember Linger stated that he agreed with Councilmember Weber about expanding the boundaries. He said that some other qualifier should be considered in that process.

Councilmember Moran noted that she agreed with Councilmember Mason and Councilmember Weber regarding the board and commission appointments. She mentioned that she noticed some comments online about people who are renters and not homeowners.

Mayor Straight stated that as far as the board and commission appointments, the State dictates to us who can be appointed to the boards and commissions. He noted that was a change that would have to come from the State of WV.

Mr. Gomez said that was correct.

Councilmember Linger asked if that could be done through Home Rule.

Mr. Gomez said that we could look to do that at the next legislative session. He said there are variations of requiring residents to be property owners or freeholders and we would need to change the WV State Code.

**IN RE: STREET SWEEPER**

Councilmember Burdick is requesting that the street sweeper be used on Pennsylvania Avenue.

**IN RE: DEMOLITION OF HOUSES**

Councilmember Burdick noted that it was good to see houses being demolished behind the Public Safety Building.

**IN RE: PROPOSED PARKING RATES**

Councilmember Linger reported that he has been contacted, as the Councilmember for the Third District in the downtown, about the proposed parking rates. He said that he heard a lot from the people that were at the work session with the Parking Authority to where no one explicitly came out and said they think the rates are too cheap and then to turn around and have that be one of the recommendations to come out of that meeting caught a lot of people by surprise. He said that he anticipates somewhat of a turnout at the next meeting for the public hearing.

**CITIZENS PETITIONS**

There were no citizen's petitions for this meeting.

**CITY MANAGER'S REPORT**

**IN RE: PAY INCREASE FOR SCHOOL CROSSING GUARDS**

Mr. Gomez said that the rate for the school crossing guards was increased in

the new pay plan.

Eileen Layman said that she believed their rate was increased with the 3% and, if it wasn't, we can make that change in the second revision to the pay plan that will be proposed to Council.

Councilmember Weber asked if the Board of Education was responsible for any part of their pay.

Mr. Gomez replied that the City completely funds the school crossing guards.

Ms. Layman said that the Board of Education is contributing to the School Resource Officers.

**IN RE: LEADERSHIP MARION SPRING INTO ACTION**

BUD SAPP, Director of Leadership Marion, thanked City staff for helping to relocate their spring festival, "Spring Into Action", from Monroe Street to Madison Street. He said that they had over 40 booths and vendors for the festival and it was a huge success.

**IN RE: RETIREMENT CONGRATULATIONS TO ALDEN BENNETT, JR.**

Mr. Gomez recognized Alden Bennett, Jr. for 35 years of dedicated service to the City of Fairmont. He noted that he retired on May 6, 2016.

**IN RE: AUDIT REPORT PRESENTED TO COUNCIL**

DAVID SHRIVER, with Tetrick and Bartlett, gave a brief audit presentation on the City's Fiscal Year 2015 financial audit. Mr. Shriver presented each Councilmember with a copy of his presentation.

**CONSIDERATION OF COUNCIL BUSINESS**

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE FAIRMONT CITY CODE**

Mayor Straight entertained a motion and a second for the introduction of an ordinance to approve and adopt the 2016 replacement pages to the Fairmont City Code.

Motion:

Councilmember Warner moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Weber seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

Discussion:

Councilmember Weber stated that he has a copy of the City Code Book and it is also online and there are a lot of things in the Code and he wondered if, in the near future, Council can have a work session to discuss the Code with it being extremely thick and in detail. He suggested going over every page and it may rectify some of the restrictions that we have.

The Mayor declared the public hearing set for May 24, 2016 by voice vote of Council.

**IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT, WEST VIRGINIA, APPROVING THE TERMS AND CONDITIONS OF THAT CERTAIN COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, LOCAL NO. 1-02, AND THE CITY OF FAIRMONT EFFECTIVE APRIL 24, 2016, AND ENDING APRIL 23, 2019, AND FURTHER AUTHORIZING AND EMPOWERING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT; RATIFICATION**

Mayor Straight entertained a motion and a second for the introduction of an ordinance to approve the terms and conditions of the collective bargaining agreement between the City of Fairmont and The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local No. 1-02.

Motion:

Councilmember Mason moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Weber seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

Discussion:

Mr. Gomez went over some of the provisions and related changes in the agreement. He presented Council with a copy of the proposed changes.

The Mayor declared the public hearing set for May 24, 2016 by voice vote of Council.

### **ADJOURNMENT**

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Mason moved to adjourn the meeting. The motion was seconded by Councilmember Weber.

The Mayor declared the meeting adjourned by voice vote of Council at 7:50 p.m.